

BS



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,243	03/06/2002	Jeffrey Daniel Hillman	00-505-I	9604
20306	7590	11/09/2004		
MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP				
300 S. WACKER DRIVE				
32ND FLOOR				
CHICAGO, IL 60606				

EXAMINER
SHIBUYA, MARK LANCE

ART UNIT	PAPER NUMBER
1639	

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER


ART UNIT	PAPER
----------	-------

11032004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents


PADMASHRI PONNALURI
PRIMARY EXAMINER

Mark L. Shibuya
Examiner
Art Unit: 1639

Response to Requirement for Restriction/Election

The reply filed on 8/23/04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant, in the Response, filed 8/23/04, elected Group I (claims 1-12) and elected the species of human species for claims 6 and 11. However, applicant has not elected species, as required in paragraph 3 (e.g., bacterium, see claim 9), paragraph 5 (e.g., nitrocellulose, see claim 3), and paragraph 6 (e.g., *Candida*, see claim 10) of the Requirement for Restriction/Election, mailed 7/23/04. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark L. Shibuya whose telephone number is (571) 272-0806. The examiner can normally be reached on M-F, 8:30AM-5:00PM.

Art Unit: 1639

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang can be reached on (571) 272-0811. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark L. Shibuya
Examiner
Art Unit 1639

ms